

SURPRISE

For District Attorney
Jerome in the Thaw
Hearing

COUNSEL RESTS CASE

Poughkeepsie, N. Y., May 14.—Harry K. Thaw's counsel in the proceedings brought before Justice Morschauser of the supreme court to secure Thaw's release from Matteawan state asylum, for the criminal insane surprised District Attorney Jerome, who represents the New York authorities in the case, by resting his case today after the testimony of only four witnesses.

James G. Graham, counsel for Thaw, studiously refrained from qualifying any of the witnesses as experts, although they were all of the medical profession and contented himself with putting on record the witnesses' belief as laymen that Thaw's behavior from the time of his first imprisonment in June, 1906, to the present time was sane and rational. Graham's action in thus restraining himself to the establishment of a skeleton prima facie case to show the present sanity of his client, indicated that he has determined to pattern after the method used by Jerome himself in the two trials of Thaw for murder and that he will make his client's fight in the case one of rebuttal of Jerome's expert witnesses. Whatever experts in insanity testimony that Graham may have will only be called to traverse the case that District Attorney Jerome will now have to build up.

Although Graham's sudden shifting of the weight of proof on to Jerome's shoulders caught the district attorney of New York quite unawares, and he finding himself suddenly forced to begin putting his own witnesses on the stand, tried unsuccessfully to spar for time with Justice Morschauser. The witnesses upon whom Thaw's counsel relied to put in his prima facie case of sanity were Dr. Frank A. Maguire, the Tombs physician; Henry A. Parr, a dentist who had attended Thaw both in the Tombs and

at Matteawan; Dr. Charles B. Lane and Dr. John P. Wilson, the two latter local physicians who had visited Thaw during his confinement in Matteawan and later during his past week's stay in the county jail here.

When court opened District Attorney Jerome, assisted by his assistant, Frank Garvan, appeared with only three witnesses in their train. They were Dr. Carlos MacDonald and Dr. Austin Flint, the two specialists upon insanity who had given testimony for the prosecution at the trials for murder, and Dr. Amos Baker, assistant superintendent of the Matteawan asylum, who declares that he believes Thaw to be at the present time a paranoiac.

Graham made a preliminary motion for the discharge of Thaw from the asylum on the two-fold reason, that he was not insane at the present time and that he was being held in the asylum illegally. The judge said he would hear the testimony.

Dr. Frank A. Maguire, the Tombs physician, stated it as his belief that Thaw was not insane at the time he was incarcerated there.

The witness also said that Thaw said to him that he had no desire to do injury to anyone connected with the prosecution of the murder charge against him and that if he ever got out of Matteawan it was not his intention to hunt down Mr. Jerome and shoot him. No one had been persecuting him, Thaw said.

JAP MISSIONARY

Pays Visit to Canton and Views McKinley Monument—Tells of Services in Japan.

Mr. Tetsuro Hayasaka, native missionary from Japan, who for the past two years has been a student at Heidelberg university, was the guest of Rev. E. P. Herbruck, 623 North Walnut street, Wednesday. After a visit to the McKinley tomb in company with Rev. Herbruck, he described the memorial services that were held in his native city, Sendai, by the American missionaries assisted by his townsmen after the news of McKinley's death had been received.

He left Thursday morning for the east where he has several appointments to speak before mission societies of the Reformed church of Pennsylvania.

RAY LAMPHERE

Accused of Many Murders Deserted Wife at Sayre, Pa.—Has Criminal Record.

Wilkesbarre, Pa., May 14.—Ray Lamphere, the alleged murderer of Mrs. Belle Guinness of the death farm at Laporte, Ind., has a criminal record and a deserted wife at Sayre, near here. Lamphere is well known to many of the residents of Sayre, particularly to the teamster element. He worked around blacksmith shops of Sayre and Towanda as a horse-shoer.

In the latter part of 1906 he was arrested on a charge of breaking into freight cars on the Lehigh Valley and was taken to Towanda for trial. There he was convicted and served a sentence for the crime. After his release from prison he returned to Sayre but remained there only a short time when he deserted his wife and left, presumably for the west. Nothing more was heard of him until his arrest for the murder of Mrs. Guinness and her three children. Mrs. Lamphere never made any attempt to have her husband return to Sayre, although it is now said there that she knew of his whereabouts in Indiana.

INSTRUCTIONS ISSUED

By Pension Department as to How Widows Can Get Additional Allowance.

Col. W. L. Curry state soldiers claim agent, sent out a letter containing information as to how widows now drawing pensions can get the additional allowance under the new law as follows:

"All widows who are drawing less than \$12 per month pension should execute the vouchers now in their possession for the payment of June 4, 1908, and forward them as usual to the pension agency through which they are paid.

"The pension agent will add to the voucher the amount named in the voucher the increase up to June 4, and send check for the full amount including the increase up to June 4.

"After the June payment, the pension agency through which widows are paid as above noted, will call for their pension certificates and they should be forwarded at once as requested. The same rule applies to minors drawing pensions through guardians.

"The certificate will be properly stamped with date of act of April 13, 1908, showing that they are entitled to \$12 per month and it will then be returned.

"The above instructions are given by order of the commissioner of pensions, Washington, D. C."

DEATHS AND FUNERALS

LEVI KING.

'Squire Levi King, aged 84 years, died yesterday morning at his home at New Chambersburg. Besides his wife he is survived by three sons and one daughter. Several relatives reside in Canton. Funeral services will be held Sunday morning and burial will be made at Mount Airy.

MRS. HANNAH WRIGHT.

The funeral of Mrs. Hannah Wright, 720 South McKinley avenue, will be held today at 10 a. m., from the Simpson M. E. church.

MARGARET COLLINS.

Exhaustion resulting from a complication of diseases caused the death of Mrs. Margaret Collins, wife of B. F. Collins, at their home, 706 West Ninth street, at a late hour Wednesday night, her last illness being of four months' duration. She was 59 years of age. She is survived by her husband and four children, they being H. W. Collins, J. A. Collins, Mrs. J. C. Smith and Miss Ethel Collins, all residents of this city. Two brothers and two sisters reside in Montreal, Canada. The funeral services will be held at St. John's Catholic church, Saturday morning at 8:30 o'clock. The interment will be in Westlawn cemetery.

IN JUSTICE COURT

George West was arrested by Constable Rohn and taken before Justice Barrick on a charge of failing to pay a board bill of \$13.50 contracted at the home of Mrs. Sarah J. Bowers. He made arrangements for the settlement of the bill and was released.

Charles Schnake and Raymond Garon, two young boys, were before Justice Barrick charged with malicious destruction of property, the complaint having been made by F. A. Lab. They denied their guilt and will have a hearing Saturday evening at 7 o'clock. They are accused of destroying a gate.

The honeymoon of Charles W. Keim, a notice of whose marriage was reported in Thursday morning's issue, was of brief duration and in less than twenty-four hours after he was married he occupied a seat in the county jail where he engaged in meditation. Miss Helen M. Sponhauer, whose voice has often been heard at one of the moving picture shows in this city, went before Justice Barrick Thursday morning and swore out a warrant for the arrest of Keim, making a charge of serious nature. Keim is a machinist at the Safe works and was brought in by Constable Rohn. He entered a plea of not guilty to the charge preferred against him and his bond was placed at \$500. Not having a bondman present he was sent over to the jail. He expected to get bond later. His hearing was set for May 18.

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Children's Oxfords and Ties

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PENILESS

Youth Who Ran Away
From Home Tried to
Steal Ride on Freight

HE LOST A FOOT

Special to Morning News.

Massillon, O., May 14.—In attempting to board a moving freight train on the B. & O. at Warwick, several miles north of Massillon, late this afternoon, Frank McCullough, of Tippecanoe, slipped and in falling rolled under the wheels of the train. That he escaped death is nothing short of miraculous. When he fell under the train he had presence of mind enough to attempt to throw his body out of danger. Had he been a fraction of a second quicker he would have escaped entirely uninjured but his foot was caught and crushed under the wheels. The train was stopped and McCullough was picked up by the trainmen. He was brought to the B. and O. station at Massillon. Gordon and Eollinger's ambulance was summoned and the victim of the accident was hurried to Mount Airy hospital.

After a consultation between Drs. Maurice Smith and Culbertson it was decided to amputate the injured member. The operation was successfully performed and the physicians say that McCullough is on the fair road to recovery.

The victim of the accident is only 17 years old. Together with several other lads of the same age, he wandered from home several days ago. Last night they stayed in Holliday, where McCullough had a brother. The lads were furnished with funds to return home but instead of doing this they went to Warwick this morning. There their money ran out and they were obliged to travel by freight. Nothing has been heard of the companions of McCullough. They did not accompany the injured lad to this city. It is thought that they must have returned home after the sad end of their journey.

KEITH WILL EXTEND HIS OHIO CIRCUIT

Cleveland, May 14.—Manager Daniels, of Keith's theatre, will leave Cleveland in September for New York, where he will have charge of Keith's complete circuit.

The Ohio circuit, comprising Cleveland, Columbus and Toledo, will be enlarged to include Springfield, Zanesville, Dayton, Youngstown, Akron and Canton. Theatres will be built or leased in these places and will be ready by September 1. In the larger towns the same bills as are furnished in Cleveland will be offered. The smaller towns will have 10 and 20 cent shows.

A new manager will take charge of the Ohio circuit with headquarters in Cleveland.

Royal Java Blend Coffee leads all others.

UNLIGHTED STOGIE CAUSE OF FRACAS

H. B. Reed, a young man working in one of the east end mills, had some trouble with a motorman on a Mahoning street car Thursday evening and was arrested and taken to police headquarters, where he arranged for his appearance Saturday. Reed said that before he entered the car he purchased some stogies at a neighboring cigar stand and stuck one of them in his mouth without having applied a match to it.

He took a rear seat in an open car and then noticed a young lady acquaintance on the forward part of the car with whom he desired to converse. He walked along the foot rail and stood in the front section. The

motorman turned around and ordered him to quit smoking. Reed told the motorman that his stogie was not lighted, when without further ceremony the motorman struck at him with his hand, knocking the stogie from his mouth and striking him in the chin. He then struck the motorman and was proceeding to give him a good trouncing when others interfered and the fracas was at an end.

Weiler Concert Company at Minerva. The Weiler Concert company gave a concert at the Minerva opera house at Minerva, Wednesday night to a large and appreciative audience. Henry Weiler as violinist, was given an ovation after his first number on the program. Harriet Crum Clark as contralto was compelled to respond to a number of encores and the efforts of Mrs. Anna Bolus Lelchot as pianist were much appreciated. Fred G. Witter was manager of the concert. The party returned to their homes in

this city in an automobile very much flattered by the success of the venture.

May Reproduce "Higbee of Harvard"

Owing to the many requests that have been received by the Seniors who gave their play, "Higbee of Harvard," at the Grand last week, to have it repeated, the class has decided to reproduce it at the same place in the near future. The play was so well rendered and made such a good impression on the audience that the requests for its repetition have been numerous and strong.

To night the young people who played here will give the play at the opera house at Salem.

Chardon—C. & E. railway honored R. Hayes, conductor, who died suddenly, by stopping all cars three minutes at beginning of the funeral.

New Philadelphia—John M., two-year-old son of Karl Jastatt, dead.

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EIGHT

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